



Atty. Dkt. No. 081356-0158

RCE
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JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuma TOMIZUKA *et al.*
Title: METHOD FOR MODIFYING
CHROMOSOMES
Appl. No.: 09/763,362
Appl. Filing Date: 4/23/2001
Examiner: Thaian N. Ton
Art Unit: 1632

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment and/or reply previously filed on ____.

b. Enclosed are:

☒ Preliminary Amendment under 37 C.F.R. § 1.114.

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- ☒ Exhibit 1: Ms. Satoko Tsuruta's Rule 132 declaration; Exhibits A and B appended.
- ☒ Exhibit A: marked-up copy of the English text to Ms. Tsuruta's declaration.
- ☒ Exhibit B: marked-up copy of the Japanese text to Ms. Tsuruta's declaration.
- ☒ Exhibit 2: Copy of Accession Number FERM BP-7583 deposited with the International Patent Organism Depository.

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	89	- 111	= 0	x \$50.00	= \$0.00
Independents	7	- 12	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$0.00
EXTENSION FEE ALREADY PAID: -			\$0.00
EXTENSION FEE TOTAL			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$790.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$790.00

- ☒ A check in the amount of \$790.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 14 July 2005

By Stephen A. Bent

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PRELIMINARY AMENDMENT UNDER 37 CFR § 1.114

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination on the merits, please enter the following Request for Continued Examination submission in the above-referenced application.

Amendments to the Specification begin at page 2 of this document.

Amendments to the Claims begin on page 17 of this document.

Remarks/Arguments begin on page 29 of this document. Please amend the application as follows: